

**Town of Mocksville
Regular Board Meeting
August 2, 2022**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, August 2, 2022 at 6:00 p.m. in the Mocksville Town Hall building located at 171 S. Clement Street.

Present:

Commissioners Present:

Mayor, Will Marklin
Jenny Stevenson
Carl Lambert
Johnny Frye
Rob Taylor

Absent: Justin Draughn

Others Present:

Ken Gamble, Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Brandon Horne, Public Services
Frank Carter, Fire Chief
Chris Vaughn, Parks and Grounds Director
Tami Langdon, Community Development

Mayor Marklin called the meeting to order.

The Town of Mocksville Board paused for a moment of silence.

Mayor Marklin led the Pledge of Allegiance.

Adoption of Agenda

A motion was made by Commissioner Taylor to adopt the agenda with the following additions and modifications: moving new business item (D) Consider Adopting Joint Resolution and Mutual Agreement Between Governing Boards of the Town of Mocksville and Davie County to new business item (A) and adding an item to new business (G) Budget Amendment #1 FY 22-23. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 4-0.

Citizen Comments

Mayor reads; Under GS section 160A-81.1, the Board shall provide one period for public comment per month. Public comments are a valued part of the Board meeting but we also have to handle monthly business items. If your public comment is not heard this month we provide the same opportunity at each month's Board meeting. Public comments are limited to 3 minutes per comment. The Mayor asks that groups appoint spokespersons for groups supporting the same position, especially when the number of people wishing to attend the meeting exceeds the capacity of Town Hall. When the comments become repetitive and no longer provide new information then discussion for this meeting may be stopped. As a

reminder, the comment period is not a question and answer session. As always, the Mayor shall provide for the maintenance of order and decorum in the conduct of the comment period.

No one spoke.

Communications

Proclamation in Tribute to Dr. Francis Slate in Celebration of His 100th Birthday

Mayor Marklin read and presented Dr. Slate with a framed proclamation, a birthday plaque adorned with a gavel, and a cake.

Introduction of New Planning and Zoning Director – Johnny Easter

Town Manager Gamble introduced new Planning and Zoning Director, Johnny Easter, a graduate of Western Carolina University with a Bachelor's of Science in Environmental Health. He has spent 24 years in public service with 8 years in Forsyth County and 16 years in Surry County, with the last four of those years serving as the Development Service Director of Surry County.

Davie County Sheriff's Office One Year Review – JD Hartman

Moved to September Board meeting.

Surplus Property Report January 2022-June 2022 – Ken Gamble

Town Manager Gamble addressed the Board to present the semi-annual Surplus Property Report. Surplus over the last 6 months is \$34,698.00 from Govdeals.com.

Contribution-Based Benefit Cap Report – Ken Gamble

Town Manager Gamble addressed the Board to present the Contribution-Based Benefit Cap Report. The State Retirement System sends out spiking letters identifying employees that make over \$100,000 annually so the Town can calculate if an amount would be due to the retirement system if those employees retired today. The spiking letter identified two employees and our calculations determined there would not be a spiking issue. In the future, these letters will be in your consent agenda and we will communicate if there is a spiking issue.

Public Hearing Requested to Consider Granting Economic Development Appropriations for the Purpose of Aiding and Encouraging the Expansion of an Existing Industry Named Liberty Storage Solutions, Inc.

Town Manager Gamble addressed the Board. This is specifically about the rail spur, where the North Carolina Railroad has a program where they will provide money for the development of rail spurs for industries. The first agreement is a Definitive Project Investment Agreement between the Town and the North Carolina Railroad Company (NCRR), which sets out the performance measures for the company and includes a claw back. The second agreement is between the Town and the company, Liberty Storage Solutions, LLC, which mirrors the Definitive Project Investment Agreement. The Town requires an

irrevocable letter of credit. The metrics for both agreements are the same, 45 employees, 7.2 million dollars of investment and 12 railroad cars.

Mayor opened the public hearing for comments at 6:17pm.

No one spoke in favor or against.

Mayor closed the public hearing at 6:17pm.

A motion was made by Commissioner Taylor to adopt the definitive project investment agreement between NC Railroad and Town of Mocksville for Liberty Storage Solutions. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 4-0.

A motion was made by Commissioner Lambert adopt economic development incentives contract with Liberty Storage. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 4-0.

Consent Agenda

A motion was made by Commissioner Taylor to adopt the consent agenda as presented. The motion was seconded by Commissioner Lambert which carried by a unanimous vote of 4-0. Items approved were: (A) July 5, 2022 Regular Board Meeting (B) Monthly Financials and (C) Tax Releases.

Consider Adopting Joint Resolution and Mutual Agreement Between Governing Boards of the Town of Mocksville and Davie County

Town Attorney Benshoff addressed the Board. Attorney Hank Vanhoy's client has property split between Town zoning and Davie County zoning. His client would like to have a private airport on this property and this is easier to do under the County zoning. The resolutions states the Town will relinquish the zoning of the property to the County. This property is in the ETJ, currently zoned Open Space Residential.

Attorney, Hank Vanhoy, spoke on behalf of his client, John Carabedian, who hopes to build a private strip, which Town zoning does not allow for. This resolution allows the County to zone the whole tract, but the Town will still get the tax revenue.

A motion was made by Commissioner Lambert to adopt the joint resolution and mutual agreement between governing boards of the Town of Mocksville and Davie County. The motion was seconded by Commissioner Frye which carried by a unanimous vote 4-0.

Consider Annexation Petition Request from Carl Carney, Debora Carney and Janet Sheppard owners of Abattoir Properties, LLC and a Resolution Directing the Clerk to Investigate the Sufficiency of the Annexation Petition

A motion was made by Commissioner Taylor to approve the annexation petition from Carl Carney, Debora Carney and Janet Sheppard owners of Abattoir Properties, LLC (Parcel-I400000065) for future development and adopt the resolution to instruct the Clerk to inspect the parcel for sufficiency.

The motion was seconded by Commissioner Frye which carried by a unanimous vote 4-0.

Consider Annexation Petition Request from Craig Sheppard and Carl Carney owners of 32 Red, LLC and a Resolution Directing the Clerk to Investigate the Sufficiency of the Annexation Petition

A motion was made by Commissioner Taylor to approve the annexation petition from Craig Sheppard and Carl Carney owners of 32 Red, LLC (parcel-14000006501) for future development and adopt the resolution to instruct the Clerk to inspect the parcel for sufficiency. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 4-0.

Consider Adopting Town of Mocksville Strategic Plan

A motion was made by Commissioner Frye to adopt the Town of Mocksville strategic plan. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 4-0.

Consider Adopting Resolution Approving Policy for the Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

This policy is required when receiving Federal funding.

A motion was made by Commissioner Frye to adopt resolution including program income policy for the expenditure of American Rescue Act of 2021 Coronavirus State and Local Fiscal Recovery Funds. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 4-0.

Discussion Multi-Family Housing Zoning Changes

Town Attorney Benshoff addressed the Board and presented a PowerPoint in response to the Board's request that a zoning ordinance amendment be development to change the Town's approach to approving multi-family developments. The draft model based on the number of dwelling units in each zoning district allows more multi-family as the Town grows. All multi-family developments would require rezoning to Multi-Family Conditional Use District. The next step is to send this draft to the Planning Board.

Town Manager Gamble addressed the Board and expressed concern with the percentage restrictions that may cause unintended consequences, such as the absence of available housing for people who work at the companies that are locating here.

Johnny Easter, Planning and Zoning Board Director, expressed concern for the percentage cap, and how the process does not allow the Board to grant a variance or make an exception.

No Board Action

Consider Budget Amendment #1 Enterprise Fund for FY 22-23

Town Manager Gambled addressed the Board regarding WWTP improvements. Two pumps were ordered last year that go into the wet wells and we thought the cost was \$75,000. After inspection of the wet wells, Chuck Willis had some concerns, so he increased the scope of services. After bidding this out, the

lowest bid was \$248,000. We had budgeted \$75,000. The budget amendment is for \$173,000 from Enterprise Fund balance to cover the remainder of the cost of the project at the WWTP.

A motion was made by Commissioner Taylor to adopt the budget ordinance amendment #1 enterprise fund in the amount of \$173,000. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Communication from Town Staff

Town Attorney Benschhoff: Today marks my 5th anniversary with the Town.

Town Manager Ken Gamble: The Horne Street parking lot is complete. We received our final installment of the ARP funds last month for \$836,899.49. The Mando Field Concession Stand repairs are completed. The Board Room renovations will begin this month, with the installation of furniture. Supply chain issues are causing delays for the electronics. Envirolink states it is taking longer to produce water for the Town and exceeding the 16 hours in the contract. We may need to do a contract adjustment to cover the cost.

Communication from Mayor and Town Board

Commissioner Lambert: N/A

Commissioner Taylor: The annual fundraiser for Smart Start Davie County is in September. Tickets are still on sale.

Commissioner Stevenson: N/A

Commissioner Frye: The Horne Street parking looks nice.

Commissioner Draughn: N/A

Mayor Marklin: National Night Out is tonight.

Adjourn

A motion was made by Commissioner Taylor to adjourn the August 2, 2022 Regular Board Meeting. The motion was seconded by Commissioner Frye which carried by a unanimous vote 4-0.

The attached documents are incorporated herewith and are hereby made a part of these minutes.

William J. Marklin, Mayor

Lynn Trivette, Town Clerk MMC, NCCMC

August 2, 2022